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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

SUNEARTH, INC., and THE SOLARAY  
CORPORATION,

Plaintiffs,

vs.

SUN EARTH SOLAR POWER CO., LTD.,  
NBSOLAR USA INC., and DOES 1 – 10,

Defendants.

Case No. 11-cv-04991 CW

**STIPULATED ADMINISTRATIVE  
MOTION FOR EXONERATION OF  
BOND AND ORDER TO DISBURSE  
REGISTRY FUNDS**

Plaintiffs, SunEarth, Inc. and The Solaray Company (hereinafter “Plaintiffs”), through their counsel, Hayes Soloway, respectfully move this Court for the entry of an order (1) to exonerate the cash bond in the amount of \$5,000.00 posted for and on behalf of Plaintiffs on February 17, 2012 in support of the preliminary injunction entered on February 2, 2012, as modified on March 13, 2012 ; and (2) directing the Clerk of the Court promptly to disburse registry funds in said amount of \$5,000.00 to Plaintiffs, as a permanent injunction has now been

1 entered and the necessity for the bond has passed. The Defendants have stipulated to entry of the  
2 Order attached hereto, granting this motion.

3 Respectfully submitted,

4 Dated: October 2, 2013

HAYES SOLOWAY PC

5 By: /s/ Stephen B. Mosier  
6 Stephen B. Mosier, Esq.  
7 Norman P. Soloway, Esq.  
8 Clark E. Proffitt, Esq.  
Attorney for Plaintiffs  
SunEarth Inc. and The Solaray Corporation

9 SO STIPULATED:

By: /s/ James Foster  
James Foster, Esq.  
Attorney for Defendants  
Sun Earth Solar Power Co., Ltd and  
NBSolar USA Inc.

12 **CERTIFICATE OF SERVICE**

13  
14 Pursuant to Civil L.R. 5-5 and 5-6, I certify that on October 2, 2013, I caused service of  
15 the following document: **STIPULATED ADMINISTRATIVE MOTION FOR**  
16 **EXONERATION OF BOND AND ORDER TO DISBURSE REGISTRY FUNDS** to be made  
17 by electronic filing with the Clerk of the Court using the CM/ECF System, which will send a  
18 Notice of Electronic Filing to all counsel of record who have filed a Notice of Consent to  
19 Electronic Service in this action.  
20

21 COPIES of the foregoing were emailed this 2nd day of October, 2013 to:

22 James J. Foster, Esq.  
23 WOLF, GREENFIELD & SACKS, P.C.  
24 600 Atlantic Avenue  
25 Boston, MA 02210  
[jfoster@wolfgreenfield.com](mailto:jfoster@wolfgreenfield.com)

26 /s/ Traci Lopez  
27  
28

**ATTESTATION PURSUANT TO GENERAL ORDER NO. 45**

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

/s/ Stephen B. Mosier  
Stephen B. Mosier